

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jeff Seipel and Tom Vevea, as Trustees of the Minnesota Laborers Health and Welfare Fund and Minnesota Laborers Pension Fund; James Brady and Keith Kramer, as Trustees of the Minnesota Laborers Vacation Fund; Tom Vevea and Gary Reed, as Trustees of the Construction Laborers' Education, Training, and Apprenticeship Fund of Minnesota and North Dakota; and Ronald Thornburg, as Trustee of the Minnesota Laborers Employers Cooperation and Education Trust; and each of their successors,

Plaintiffs,

v.

North Metro Landscaping, Inc.,

Defendant,

and

North Metro Landscaping, Inc.,

Third-Party Plaintiff,

v.

Local 563 Construction and General Laborers Union, and Laborers District Council of Minnesota and North Dakota,

Third-Party Defendants.

Civil No.: 08-4671 (RHK/FLN)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Pursuant to the Joint Stipulation for Dismissal With Prejudice signed by the parties in the above-captioned action (Doc. No. 36), **IT IS ORDERED** that the Third-Party Complaint of Defendant/Third-Party Plaintiff North Metro Landscaping, Inc. against Third-Party Defendants Construction and General Laborers Union Local 563 and Laborers District Council of Minnesota and North Dakota is **DISMISSED WITH PREJUDICE** and without costs or attorneys' fees to any party.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 13, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge